

Report No. 732.

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HOUSE OF REPRESENTATIVES.

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GRADUATION, REDUCTION, AND DISPOSITION OF THE  
PUBLIC LANDS.

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JUNE 23, 1848.

Laid upon the table.

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Mr. COLLAMER, from the Committee on Public Lands, made the following

REPORT:

*The Committee on Public Lands, to whom was referred the subject of the graduation, reduction, and disposition of the public lands, report:*

A number of different projects and proposals, essentially changing the whole system of disposing of the public lands, have been presented to the House of Representatives, and referred to the Committee on Public Lands, and been by them considered. Before describing these in detail, it must be obviously proper briefly to state what are the prominent features of the present land system, the condition of the lands, operation of the system, and policy and power of the government in relation thereto. It is not now proposed to inquire at large into the origin and nature of the title. In relation to the land northwest of the Ohio and east of the Mississippi, the then confederated, now United States, by the successful struggle for independence, succeeded to the right and title before existing in the crown of Great Britain, and to that the several States, having claim thereto, released and conveyed the same. That has ever been regarded and treated as holden in absolute title and sovereignty in trust for all the States, but first for those particular purposes declared in said releases or conveyances. It is apparent, from the history of this country in relation to that territory, that the several States, before the close of the revolutionary struggle, and in view of its successful termination, fully insisted that, if liberty and independence was secured to all the States, still the extensive territory of unsettled lands, obtained by the struggle,

should not be held and retained by particular States; but, as the only pecuniary fruit of the great effort, it should be holden for the benefit of all; and particularly that therewith should be paid off the great national debt of the revolution. It was in the acknowledgment of this principle that the particular States so frankly conceded their respective claims. It should therefore be always remembered that this government is never to be regarded as having been repaid the *cost* of the public land, when the amount paid out directly in money to France, Spain, the Indian nations, and the expenses of survey and sale are replaced, for the great *debt* of the revolution, which was the original purchase money of this national domain, and but very small share of it has yet been replaced from the sales. There is, therefore, the most reckless injustice, and especially in relation to the older States, in now adopting any course which will destroy the public land as a source of revenue.

By an act of Congress, approved January 28, 1847, was authorized a loan of twenty-three millions of dollars, on a credit of twenty years. In order to induce men to loan the money, it became necessary to give assurance, not only that the interest should be paid and the principal refunded at the expiration of the twenty years, but also some security that, in the meantime, and at all times, the stock should be kept up to its par value in the market, so that any holder could at any time, when his circumstances required, sell out his stock without discount. This last object could only be effected by providing some permanent fund with which not only the interest should be paid, but with which the government could, and would at any time, buy the stock in market, even before it became due, at par value. Time and experience have shown that, under our present system of disposing of the public lands, an annual amount of about three millions of dollars is realized to the treasury. This accruing fund was sequestered and devoted and pledged for the loan in such manner as to secure the objects aforesaid, in the manner following:

"SEC. 19. For the payment of the stock which may be created under the provisions of this act, the sales of the public lands are hereby pledged; and it is hereby made the duty of the Secretary of the Treasury to use and apply all money which may be received into the treasury for the sales of the public lands, after the first day of January, 1848, first, to pay the interest on all the stocks issued by virtue of this act, and secondly, to use the balance of said receipts, after paying the interest aforesaid, in the purchase of said stocks at their market value, provided that no more than par shall be paid for said stocks."

Now, three things are obviously intended by this pledge. First, the receipts from the sales are all sequestered, set apart, and pledged for the *payment* of this debt, principal and interest. Second, that, after paying the interest, the balance of the money is to be kept as a fund with which the stock is to be purchased, (before it becomes due,) whenever it can be purchased at par. This secures the interest punctually, and secures the stock from ever falling below par. Thirdly, the fund, after paying the interest annu-



ally, if not expended in buying up the stocks, will be an accumulating fund punctually to redeem the debt when it becomes due.

All this the fund clearly can do, if this government regards its faith, and does not destroy or divert this stream of supply. The interest may be kept down annually with one million three hundred and eighty thousand dollars, and the balance of the three millions annually received from the sales of the public lands applied to the purchase of the stock at par, or set apart at interest as a sinking fund, will be more than sufficient to redeem the whole debt at the expiration of the twenty years. Under this pledge of public faith, this stock has been taken, and this public debt contracted, and now, most clearly, until that debt is paid, no such change should be made in our land system as will essentially and permanently diminish this pledged fund. Our national honor, our national faith, integrity and credit, demand of us, at present, to entertain no such projects of general policy as can, by possibility, defeat, or essentially diminish, this pledged source of pecuniary supply.

The government at first sold the land in large tracts to individuals and companies; tracts including thousands, or even millions, of acres. This course was soon abandoned, and the land was surveyed and offered for sale in small quantities; but it was at a comparatively high price, and on a credit system. Experience fully showed the great evils of this credit system; they were great alike to the land, the individuals, the settlements, and the government, and should never be returned to. It is now near thirty years since that the system which, with slight modifications, now exists, was, on great consideration, adopted.

The leading features of the system are, that the lands are surveyed, on one uniform plan, into townships, six miles square; which are divided each into thirty-six sections, containing 360 acres each, as near as practicable; and these subject to subdivisions and sale in half sections, (320 acres,) quarter sections, (160 acres,) half quarter sections, (80 acres,) and quarter quarter sections, (40 acres,) all at the same price, to wit, one dollar and twenty-five cents per acre. The surveys are kept far in advance of the sales. From time to time large tracts are proclaimed and advertised for sale, in the different States and Territories; and, on the sale day, the same are offered in half quarter sections to any one who will offer most above the minimum price. All which has thus been offered ever after remains open to be taken by any one, at the local land offices, at the minimum price, at any time. The amount annually thus put into market has been from six to sixteen millions of acres. The amount annually sold will average over two millions of acres. Hence the amount of land subject to private entry has long been accumulating, and must, of course, greatly increase so long as two or three times as much is every year put into market as there is sold in a year. In the earlier history of the public land sales, and when a credit was given, large sums were offered beyond the legal price at the proclamation sales; but now, for many years past, very little is offered; and it appears that, for many years past, the public sales have only averaged about one

dollar and twenty-seven cents per acre, being only two cents on the ordinary price; and not yielding enough to pay for the advertising and conducting those public sales.

In relation to settlers, as pre-emptors, the law forbids the entry and settlement on the public land before the same is surveyed. After survey, settlers may enter on the land; and, if they show to the local land office their actual settlement of a tract or legal subdivision, not exceeding 160 acres, it is reserved to them, and they, on proving the same settlement as continued one year, may have the same at the minimum price. This must be completed before public sale day. As to any lands which have been proclaimed, and which are subject to private entry, any one may enter a declaration in the local land office, declaring he has taken a tract, not exceeding 160 acres, designating it, for settlement, and thereupon it is sequestered from sale one year; and if he then proves he has, in fact, settled on it and cultivated it for that year, he may have it at the minimum price. Thus the settler may select his land, and, in fact, have one year credit therefor.

The operation of this system is, to keep constantly open to private entry and purchase large tracts of land in all the States and Territories where the public land is situated, so that the purchaser and settlers have an extensive field for selection. The new States have all an equal chance to obtain settlers, and as no man or company can possibly engross the land, none can be compelled to buy of speculators.

Under the operation of this system, settlements have advanced, and prosperity has attended them, both to settlers, the new States and this government, in a degree unparalleled in the history of man. The tracts are offered in quantities so small, and on terms so low, as to be available to all who have sufficient providence to cultivate land, or even to keep it, if given them. The most choice and select lands are as well open to the small as the large purchaser. The titles are indisputable, the boundaries definite, and the tenure a fee simple, befitting a freeman; and all this under the protection of the government, ever anxious to advance the prosperity and promote the condition of its settlers. It is thus the advancement of our settlements is no irruption of lawlessness or barbarism, marshalled on by chiefs and landlords; but it is the human family led out peaceably to possess its broad patrimony.

This successful experiment should not be changed but with the utmost caution. It should be done for no local or partial evil. Such, if shown to exist, should either be endured, or provided for by laws confined and adapted to the particular case, but in no way disturbing the leading features or general character of the system, which is the child of experience crowned with success.

Let us now proceed to consider the various plans and projects submitted, having for their object extensive changes and modifications of the existing system of disposing of the public lands. They may be classed into these—

*First.* Many petitions and memorials, and some bills, are before us, whose prayer and object is to *give*, or sell, at very reduced



price, to actual settlers, tracts of land, not exceeding some certain amount; and many of these further ask that all other sales be entirely prohibited. These petitions are numerous, and have a great number of signatures.

*Second.* Several petitions and memorials pray that actual settlers may have a *credit* for lands extended to them for several years.

*Third.* Memorials and bills are before us, asking that all the lands be divided into classes, and reduced in price according to the length of time since it has been offered for sale, on the ground that its remaining unsold is satisfactory evidence of its being of inferior quality and value.

*Fourth.* Other bills and projects seem to be framed with a view to combine all these projects, and so to enlist the support of the friends of each. They propose to create classes on the last mentioned principle, and to reduce the prices to settlers first, and then to purchasers at a subsequent period.

It will be thus seen that these various projects must not only be *severally* considered, but also *collectively*, and in relation to their bearing upon each other; and that, in this way, much which may be said of one, will equally apply to others, without repetition.

In relation to the first mentioned project—that is, the giving the lands to settlers, or selling to them at very reduced price, and making no sales to others, commonly known as the *national reform* plan, its professed purpose is to furnish land to the landless, and to prevent the purchase of land in large quantities by individuals and companies, and thus to defeat the formation of large landlords, and degraded and dependant tenants.

It is first to be observed that this plan is intended and avowed as being entirely in disregard of any income to the treasury from the land, as most of the petitions pray that the government shall cease to sell; or, as their expression is, cease to *traffic*, in land. Nor does it, practically, make any difference if we give, or sell, at very reduced price, land to all *settlers*, whether sales to others be forbidden or not. As the government has several hundred millions thus to be *given away* to all who wish to *settle*, no man would have any possible inducement to *buy* to settle *himself*, nor to buy of the government to *sell to settlers* who could have it of the government at easier rate. Inasmuch as this course would entirely destroy all that income from the lands which we have already pledged, as before stated, we could not *now* entertain it until that debt of twenty-three million dollars is first discharged.

The committee are far from being satisfied that the purposes professed to be produced by *giving* land to settlers would be effected. Generally, all favors attempted for the privilege of any class of men, however needy or deserving, are so used or perverted as finally to result in favor of the speculator. It can be of no use, by way of preventing the speculator from buying large tracts, to *give* it to settlers, or even to stop all sales to others, unless the land granted to settlers be made *inalienable* in their hands. The speculators can as well buy of the settler the land he obtained so easy of government, as he can buy now of the government. To pro-

vide that the land granted settlers should never be sold would, in the first place, grant an *entailment* of it in the family, the greatest feature of aristocracy. It would render the land of little or no value, as it would have no *exchange value*. It must be obvious, too, that to say the settler should never sell his land, would be a very great discouragement to improvement, as no man would ever lay out money in making expensive erections and improvements on land, which he could never sell to replace such money when his circumstances required. No country could prosper under such a system.

To show that *favor* to the settler, or pretended settler, results, essentially, to the benefit of the speculator, let attention be directed to the practical effect of that provision of the statute of 1841, which permits men to enter their *declaration* that they have taken for settlement a quarter section of land, subject to private entry, and thus to sequester it from market for a year; and then, on proving their settlement for a year, taking it at the minimum price. To test the effect, let us take a land district. In the report of the Commissioner of the Land Office, of this year, page 30, it appears that in the district of Milwaukie, since the passage of the act of 1841 up to September, 1847, the number of declarations or claims as settlers, under that clause of the law, was 6,441; and yet, of all those, only 40 ever proved their settlement and took title to the land. But that land has not remained unsold. Much of it has been taken by purchasers, no settlements having in fact been made upon it. This clearly shows that those who claimed as settlers, under that law, are either the tools of speculators, to sequester the best lands for them for a year and then to be taken by the speculator, or the claim is made on speculation to sell out. That the land should be given or sold low only to *settlers*, and that the speculator should be confined in his operations entirely to *them*, and that the settlers be thus made both his *tools* and his *dupes*, would be to *them* a policy of very doubtful kindness. The true and liberal policy of this government is to entertain no projects of agrarianism, real or disguised; to treat all men as of equal right of acquisition and of alienation; to unshackle the titles and conveyance of land from all ancient feudal embarrassments, and trust to the rivalships of intelligence, industry, and enterprise, in a fair field of competition; to preserve a distribution of real as well as personal property. This will probably be found sufficient where no practice of entailment or law of primogeniture is permitted to counteract it.

The first purchasers have, in a new country, some advantage in the making choice selections. Experience, however, shows this advantage not to be very great. When any country is fully occupied, it is often found true that the *first* selections were far from the *best*. So extensive are the public lands, and so much new lands are opened every year, that *selections* are regarded as of so little value that almost nothing can be obtained at the public sales above the minimum price for the choice of such selections, as already shown in this report. The actual first settlers—the pioneers in the march of civilized life—have, undoubtedly, privations to



endure and obstacles to overcome, for which their privilege of making choice selections of lands but poorly compensates. When the roads have been opened, mills erected, schools established, and the appliances of civilized life advanced by the first settlers, the after-purchasers can well afford to purchase lands in such vicinity at a higher price, or to take that of less fertility than the first selections. It is not *fertility* alone that constitutes the *value* of land; that is but *one ingredient* in the composition of value. Much depends on the situation or locality of land, and the progress of settlement and society, and its propinquity thereto, and its accessibility. The returns of our land sales fully confirm this. Almost all the land capable of being actually surveyed and allotted becomes valuable and saleable in the progress of society, and as a general rule, it is the first settlers, not the last, who should have it at the easiest terms. It is on this principle that all well digested pre-emption laws are founded, and such foundation is clearly equitable. If one has actually settled on and cultivates the land in the wilderness, it seems to the committee no more than just that, in addition to permitting him to hold the land of his selection, he should also have some degree of lenity and credit for the payment of the minimum price therefor; all which he now has. The law, however, does not allow him so to settle, except on land which has been *surveyed*; but the committee see no sufficient reason for so confining it, and consider that the pre-emption law should be extended to all lands to which the Indian title has been extinguished, as recommended by the Secretary of the Treasury; and, at the same time, the pre-emption laws should be so modified as to prevent those fictitious *declarations* now allowed; and they report a bill accordingly.

The sale of public land is subject to the same laws of trade as that of any other property. The amount of *sale* must depend upon the amount of *demand*. If the great quantity of new lands was in the hands of individuals, instead of being in the hands of the government as it is, those owners, under the operations of the well known laws of trade, would by competition be compelled, from the supply being far beyond the demand, to submit to a reduction on all their lands, even the best. But the government being the sole owner, is not compelled, by the rivalry of others, to submit to sacrifice, and may pursue a uniform, consistent, and just course, even though the demand is very much below the supply.

In entering on a *system* of selling the public land, and when it was well known that our supply of land was infinitely beyond any present demand, and sufficient for a century and even more, either one of two courses could be taken: first, to survey and offer for sale only in such limited quantities as would barely supply the demands, and to offer no new lands until all those already offered, capable of cultivation and settlement, were actually sold. The advantages of this course would be to make clean sale of the land as it proceeded, to keep the settlements compact, and have all the appliances and enjoyments of civilized society nearly keep pace with the settlements, and to have always a strong and limited

frontier. The other course was to survey and offer for sale extensive tracts, from year to year, far beyond the demand and in advance of settlements. The advantage of this course was to advance the settlements rapidly into new regions, and thus to encourage and tempt on others to follow, by offering them, at the same price, selections of lands in new and uncultured regions, and thus to increase the amount sold. It must be quite obvious that these two courses, and the advantages of both, could not exist at the same time. Each has its advantages and evils; but no reasonable man can insist on having the advantages of both at the same time, as the courses are inconsistent with each other; and no man should complain that the course adopted is attended with evils which the other would have avoided.

Which of those courses was most proper for this government to take is not now a question before us. That is a foregone question, long since determined. The policy of extending the surveys, and putting into market the public land far in advance of the settlements and sales, and in quantities much, very much beyond the wants and demands of the purchasers, was adopted, and has been pursued, for a long course of years. This has been *demanded* and *insisted* on by the new Territories and States with great pertinacity. The advantage has been to advance the settlements over a much greater surface in the new parts, but to make them comparatively sparse, and to leave, unoccupied and unsold, large quantities of land behind and amongst those settlements. All this must have been easily foreseen, and no man should now complain that a great part of the land does not sell; for clearly no more will sell than is wanted by the purchasers and settlers. More especially should not those States, who have demanded this course, and who have had its advantages, now complain. So decisive was the requirement of the new States that the surveys should far exceed the sales annually, that in the passage of the distribution and pre-emption law of 1841 there was inserted, at their demand, a provision that at least \$150,000 should be annually expended in new surveys, which would survey 12 millions of acres, utterly regardless of the progress of sales. While the average demand and sales are limited to between two and three millions of acres annually, as they have been, and while there are annually added to the unsold of the previous years from eight to ten millions of acres more of new surveyed lands, the inevitable and obvious consequence must be, and is, that large and annually increasing amounts of unsold land, which has been long in market, will be on hand; not because it is of *inferior quality*, but because three times as much is annually put into market as the wants of the market require. It must be quite obvious, too, that this government could never have pursued this course had it been, at the same time, understood that whatever land laid long unsold, by having such immense quantities put on sale, was to be therefore decried as poor and reduced in price.

It is true that the general annual average of sales has been between two and three millions of acres for some years past. Exception must always be made of the year 1836, that year of ex-



travagance in speculation. In that year over twenty millions of acres were sold. That amount of sale, however, has affected the sales to this time. It is nothing but a temporary advantage to force a sale, for any one or two years beyond the ordinary demand. It is but anticipating the demand. Whatever is thus sold still remains for sale in the hands of the purchaser, and goes still to supply the market by sales to the settlers, who therefore buy the less of the government. It is in that manner the sales of 1836 have really lessened the sales ever since. There are three causes which will operate to increase the sales for a few years to come; the increase of immigration from Europe, and the sales of 1836 being now mostly exhausted, so far as they were good selections, and much of the 500,000 acres which the new States received under the act of 1841, which has by them been selected and put in market, which has retarded the government sales, is now disposed of. There will be less effect hereafter from that cause, and this will increase the sales. On the other hand, the sales will be lessened by the bounty land warrants, to be issued to the soldiers in the Mexican war, which will, in some degree, supply the market; but the probability is, that if the present system is preserved, and the public lands are not graduated or reduced, the amount to be received from sales will rather increase than diminish, unless a pecuniary revulsion should devolve upon the country.

We proceed now to inquire more particularly into this project of *graduation*, its pretended *foundation*, its *provisions*, and its probable *consequences*.

It is much insisted that there is much poor land in the public domain, and that it is unreasonable and unjust to hold such at the same price with the good land; and that by persisting in so doing the land remains unsold, and the new States do not settle so fast as they otherwise would; and that, if reduced in price, it would be taken by settlers, and they become tax-paying landholders, assisting to bear the public burden of the States. It is further insisted that, by such reduction, lands would sell, which otherwise will not; and that thereby the amount of money received from land would be actually increased. Such are the professed *grounds* of the project. The provision proposed is, that all land which has been fifteen years in market and not over twenty years, shall be sold at one dollar; all over twenty years and not over twenty-five years, at seventy-five cents; all over twenty-five years and not over thirty, fifty cents; all over thirty years, twenty-five cents. This is given as a specimen, for all do not make the scale of depreciation precisely the same. Some commence the reduction at ten years; but all are founded on the same principle; that is, the land is to be graduated and reduced according to the length of time since it was first offered for sale.

Now, the first prominent feature of this plan which strikes the mind, is this: the project to be accomplished is entirely beyond the complaint made. The complaint made is, that there is poor land. The remedy for that, if any is needed, is to carefully examine the land and ascertain the poor part, and reduce its price;

but the graduation project proposes no such remedy. It proposes, because there is some *poor land*, not to reduce *that*, but to reduce all the public land in the United States, whether good or bad, which has not been sold, because so much was not wanted. It is difficult to believe that there is any real sincerity in such a claim for reduction, to wit: poor land, where it is made the ground for so indiscriminate, sweeping, and extensive a project.

To show the extent of these lands, let attention be directed to the annual report of the land commissioner, December, 1845, being executive document No. 12, 1st session, 29th Congress, graduation table, page 14. It will there be seen that, on 30th June, 1845, the amount of unsold land which had been in market more than ten years and not over fifteen, was.....23,435,956 acres.  
 Over fifteen and not exceeding twenty years.....10,533,067 "  
 Over twenty and not exceeding twenty-five years.21,185,596 "  
 Over twenty-five and not exceeding thirty years..15,178,825 "  
 Over thirty years..... 2,625,732 "

Making, now subject to this plan of reduction....72,959,176 "

This amount has been much increased since that time. If three millions of acres were the annual demand, (and that is above the average sales,) and this land is reduced, so as to be the first to supply the market, it is quite clear that, for more than twenty years to come, the market will be entirely supplied with the old lands, and little or none of fresh land be sold in the new States and territories. It is said that, if reduced in price, some will buy land which adjoins them, who otherwise would not buy at all. This must be to a very limited amount, and it is of very doubtful policy to now adopt a law to reward those who have kept off settlers from the land they have taken up and that which adjoins, until they could induce the government to give it to them, or sell it to them for a trifle.

It is next said that if the *poor land* were reduced in price, it would enable poor men to obtain it, who are unable to buy *good land*, at the present price. This, if true and desirable, is only a reason for reducing *poor land*, but none for reducing *all* the long unsold land, indiscriminately, whether good or bad, as now proposed. But it is of very doubtful policy whether any inducement should be held out to a *poor man* to take *poor land*, unless it is good policy to keep him forever poor. No *poor man* can afford to cultivate *poor land*, and let his rich neighbor always oversell him, by raising his produce cheaper on *better land*. The truth is, it is better, far better, that a poor man should, with fifty dollars, take forty acres of *choice land*, as he can now do, rather than that any encouragement should be held out to him to take double that amount of *poor land*, at half the price.

It is much insisted that if the land were graduated and reduced, as proposed, so much greater quantity would be sold as would more than replace the difference in price, and so the treasury would be a gainer. If this argument were sound, it would be a call for a reduction of all the public land; but the committee regard it as



unsound. Nothing is better settled, from experience, than this: that land will sell only at the *minimum* price. As already shown, men will not, at the proclamation sales, offer anything but a nominal sum for the *choice* of land. The truth is, the proportion of good land is so great, that selection is of little importance; and good land enough can be had at the minimum price. Now, it is to be borne in mind that this project of graduation applies to all the public land which has been offered for sale, or that shall hereafter be offered. The proposition is, that, for all time to come, whenever any land shall be offered at one dollar and twenty-five cents for ten or fifteen years, it shall then, for the next five, sell at one dollar, and the next, at seventy-five cents, and so down to twenty-five cents per acre. Now, it must be quite clear that no man will buy at the higher rate, unless a very small tract, in a case of great necessity, when he knows the same land is all in a process of regular reduction, and he can, either now, or by waiting, have it much reduced. None will be sold but at the lowest grade, and, as already shown, there is enough *now* ready, to be put in at the *lowest grade*, (having been offered thirty years,) to supply the whole demand, even if twice the quantity, annually, were sold that now is. What had been over twenty-five years in 1845, added to what was over thirty years, fully shows this.

As all the land now, or hereafter offered, is to be subject to the operation of the law, it follows that none will buy land while it stands \$1 25, nor at any other price above the minimum, when, by law, that land, and all around of the same quality, is to be reduced. Some such land may be taken possession of by squatters, but none will be entered and paid for until it has fully undergone the purgation of ultimate reduction, to which it is all to be subjected. How, then, is it possible that the treasury is to receive the amount it now does? To do so, instead of selling two or three millions of acres annually, it must sell fifteen millions annually, and actually continue that every year. This is utterly incredible.

It is still insisted that *poor land* should be reduced in price, and that the fact that land has been many years offered, and is unsold, is satisfactory evidence that it is of *poor quality*. That there is some poor land, it is not now necessary to deny; but, that all the land which has not sold, when offered, is of *poor quality*, or that the mere fact that it has not sold, furnishes any satisfactory evidence of its being of *poor quality*, or of inferior value, or that it is even in any way unsaleable, at full price, is entirely denied. Where a sufficient cause for any effect is well known, it is neither good reasoning, nor ordinary candor, to ascribe it to some other uncertain cause.

When, therefore, it is well known by the experience of many years, that an amount not exceeding three million acres supplies the annual sales of public lands, that furnishes, at once, a certain and indisputable cause why all that has been offered, beyond that, continues and accumulates as unsold lands. It is, therefore, bot

uncandid and unreasonable to ascribe the want of further sale to the unknown, unacknowledged, and untrue cause, that the unsold land is *poor*. That would be to deny the effect as being produced by a *known, sufficient* cause, and to ascribe it to some *unknown* cause, of the existence of which no other evidence is shown. But this is by no means to be left here. There is abundance of evidence on this matter, furnished by the experience in our land sales. It is assumed by the advocates of graduation, that whenever lands, which are for sale at a certain price, all that do not sell in a certain time must be of less value, and should be reduced from time to time. According to their own principle, then, whenever, and so long as the lands *do sell* at the given price, it shows they are of that value. As before suggested, lands at first sell for the chance of first selections; and as settlements advance, lands of less fertility advance in value, and continue to sell at the price of the first, and are worth it. This is not mere theory and speculation. It is fully sustained by experience. A careful examination of the progress of our own sales of public lands, will abundantly verify it. It is true that some woodsmen keep always a little in advance of all surveys. When, therefore, a tract is first surveyed and offered for sale, generally, for the first year, there will be large sales to those who have thus gone forward; but, from that time forward, the sales are generally, in any succession of years, very uniformly in proportion to the amount then actually left unsold in the tract. This continues, in very nearly the same ratio, until all is sold out to a very small valueless residuum of utter barren, or swamp. It is true that, in this, there will be, in any particular State or district, periods of fluctuation. Migration goes to particular places, for certain periods, and then to others, as settlers are social, and go in companies; but, so far is it from being true, that, the lands once passed over, and unsold for some years, are poor and unsaleable, the land sales will fully show that as large a proportion of acres, compared with what remain then unsold, are disposed of in the oldest land districts, after the same had been on sale ten, twenty, and even thirty years, as ever sold in the district, and often a much greater proportion. If this be so, then the assumption on which the claim to graduation and reduction is founded, to wit: that the failure of sales shows the poverty of the land, is entirely without foundation; because, in point of fact, the sales do not stop; or even relax, on a succession of years, but only lessen as the land becomes exhausted. By document No. 197, 1st session 28th Congress, table A, page 13, it appears that, in Marietta district, Ohio, where all the public land had been offered for sale for more than thirty years, there was unsold, June 30, 1828, 306,000 acres *fit for cultivation* and 100,000 acres, *unfit for cultivation*, as returned in the original survey. This was an old district, and this was all that remained unsold of all which it first contained. In twelve years from 1828, there were sold of those culled lands in that district, 323,251 acres, being more than three-fourths of all that remained, and being many thousand acres more than all which was, at first, regarded as *fit for cultivation*. By the same table, it ap-



pears that, in Wooster district, in Ohio, where all the land had been offered for sale a great number of years, there was, June 30, 1828, 129,250 acres *fit for cultivation*, and 40,660 *unfit for cultivation*, remaining unsold of all which the district originally contained. In September, 1840, 167,946 acres of that had been sold, at the full price of \$1 25 per acre; leaving unsold in the district less than 2,000 acres, even of 40,660 acres returned as *unfit for cultivation*.

Let us next take a land district in INDIANA. By the same table it appears that in the district of Indianapolis, June 30, 1828, there remained unsold 1,473,680 acres *fit for cultivation*, and 368,420 acres *unfit for cultivation*. September, 1840, there had been sold, of that same land, at the usual price, 1,613,129 acres, which exceeded, by more than 100,000 acres, all that returned *fit for cultivation*, and therefore must have included more than one-third of that land which was originally returned as *unfit for cultivation*. This appears in all the States reported on, when the sales have been long continued. ILLINOIS, Springfield district, as appears in the same table, June, 1828, there remained unsold only 212,620 acres *fit for cultivation*, but 1,704,704 acres *unfit for cultivation*. In September, 1840, there had been sold, at the usual price, 1,327,454 acres of this land; showing that more than a million of acres was purchased, freely, in that district; at the usual price, of land originally returned as *unfit for cultivation*. In MISSOURI, St. Louis district, September 30, 1828, there remained unsold, *fit for cultivation*, 554,858 acres, and *unfit for cultivation* 1,664,568 acres. September, 1840, there had been sold of this land, at the usual price, 691,916 acres, being more than one hundred thousand acres more than all the land *fit for cultivation*. In ALABAMA, Tuscaloosa district, June 30, 1828, there remained unsold but 10,000 acres *fit for cultivation*, and 3,139,306 acres *unfit for cultivation*. In September, 1840, there had been sold of this land, at the usual price, 810,919 acres, being more than eight hundred thousand acres of that land originally returned as *unfit for cultivation*. ARKANSAS, Batesville district, June, 1828, there remained unsold *fit for cultivation*, 157,781 acres, and 2,525,890 *unfit for cultivation*. In September, 1840, there had been sold of this land, at the usual price, 315,130 acres, being more than one hundred thousand acres more than all the land *fit for cultivation*. Thus, it appears from this table, prepared in favor of the project of graduation, that in the progress of settlements, the sales are as great in proportion to what remains on sale in the *last* part as in the *first* part of the sales; but it more particularly appears that even land, which at first was regarded as worthless, comes to be found both valuable and saleable. In coming to this conclusion it should always be remembered, that these sales were never forced nor the price reduced, nor other or better land withholden from market; for at the same time these sales were making, millions and millions of fresh surveyed and uncultured land were open to all, but these old culled lands, even those originally reported as *unfit for cultivation*, were selected and *preferred by the purchasers*.

It is, however, not thought advisable, on this important subject, to rest with this exposition, but to pursue the subject further, and to put beyond all possible question the fallacy of the assumption that whatever land has remained unsold for several years after being offered, is therefore to be concluded as of inferior value. If rapidity of sales is the criterion of value, it will, on examination, most fully appear, that lands long in market sell as rapidly, in proportion to the quantity remaining unsold of that tract, as it does at an earlier period of the sales, and frequently *much more so*.

A report has been made by the Commissioner of the General Land Office, through the Secretary of the Treasury, to the Senate, this session of Congress, (Senate executive document, No. 41,) showing the different tracts of land in the several land districts, which have been on sale for at least a period of thirty years. This report is in tabular form, and contains several tables of great value, showing all the dispositions and present condition of the public land. The first table (A) is devoted to showing the progress of sales in lands after the same has been in market fifteen years. It shows the amount of each tract put on sale, and how much, in gross, had been sold in fifteen years, and then shows how much of each such tract sold each year, in periods of five years, until it had been thirty years on sale. That table follows the land no further, but table B is more perfect, and shows the sale in each tract and each district, every year until December, 1846. The following results are deduced from that document:

In 1801 was put into the market in the district of Chillicothe, in Ohio, the largest tract ever proclaimed in that district, being.....	3,785,878 acres.
In fifteen years there was sold.....	1,920,935 "
Leaving then unsold and for sale.....	<u>1,864,943 "</u>

In the next *five* years there sold 322,918 acres, being at a greater rate than the average sales of each five of the fifteen previous years. The land had now been on sale twenty years, and the next five years there sold 83,810 acres. It had now been on sale twenty-five years, and there was then unsold 1,458,215 acres; and there sold in the next *five* years, from 1827 to 1831, inclusive, 215,875 acres, being in increased proportion; and it is further observable that a larger amount sold on this thirtieth year, being 1831, than had sold on any one year for thirteen years before, being 99,468 in *one* year. There this table ends; but, if we follow this tract of land in table B, of the same document, page 41, under date 1832, we find the sales continued thus: 1832, 85,411 acres; 1833, 58,545 acres; 1834, 32,170 acres; 1835, 39,542 acres; 1836, 204,623 acres; 1837, 144,810 acres; 1838, 110,536 acres; 1839, 95,320 acres.

This tract of 3,785,878 acres had now become reduced to less than half a million of acres, and, of course, the sales declined; yet they have continued, and even in 1846, when reduced to a small



amount, and when it had been on sale forty-five years, there yet sold 33,307 acres, all at the same price. How fully and satisfactorily does this sustain and illustrate the principle that the value and saleability of land advances with the age and settlement of the country; and that it is not true that land which does not sell within the first ten or twenty, or even thirty years, after it is first offered, is either poor or unsaleable; and that, in fact and in truth, lands sell at a more rapid rate, and in greater proportion to the amount for sale, after fifteen or twenty, or even thirty years, than earlier.

Too much time and space would be required thus to analyze every tract of land; but let us take some in other States than Ohio. In MICHIGAN thirty years had not passed, at the returns in 1846, since the first tract was offered in 1818. But in relation to that tract of 1,087,498 acres, there sold in the first *fifteen* years 444,773 acres; but of the remainder there actually sold a much greater quantity in the next *five* years, to wit: 582,729 acres. In INDIANA let us take the first large tract reported upon in said report, exceeding one million of acres. It was in Jeffersonville district, and was 1,481,114 acres, offered in 1808. In the first *fifteen* years there sold 249,649 acres, being a fraction over 83,000 each five years. In the next five years there sold 23,050 acres. In the next five years there sold 129,615 acres. The next five years, being the five years after it had been twenty-five years on sale, there sold 437,530 acres.

The first tract offered in the Vincennes district was 1,329,272 acres, in 1807. In the first *fifteen* years there sold 253,952 acres. In the next *five* years there sold 10,325 acres. In the next five years, 44,231 acres. In the next five years, being the five years after this tract had been twenty-five years on sale, there sold 223,669 acres.

In ILLINOIS but a few tracts had been in market over thirty years before 1846, to which time the said report of sales was made. In Shawneetown district 3,024,752 acres was put on sale in 1816. In the first *fifteen* years there sold 292,540 acres, being about 97,000 acres each *five* years. In the next *five* years, after this fifteen, there was sold 205,994 acres. In the next five years, being the next after the land had been on sale twenty years, there sold 310,530 acres. In the next five years there sold 52,664 acres. In Kaskaskia there was put on sale, in 1816, 1,993,187 acres, and in *fifteen* years there sold 275,145 acres. In the next *five* years there sold 237,237 acres. In the next five years there sold 413,265 acres, and in the next five years 73,817 acres.

In MISSOURI there was no land offered until 1818, and there are no returns of the sales complete to thirty years, but so far as shown, the sales exhibit the same results. In St. Louis district a tract of 967,738 acres was first offered. In the first *fifteen* years there sold 141,830 acres. In the next *five* years there sold 131,106 acres. In the next five years, though the tract was so much reduced, yet there sold 60,261 acres. At the same time, (1818,) there was offered a tract in Fayette district of 640,690 acres; and in *fifteen* years there

sold 261,736 acres, that is, 87,265 acres each five years. In the next *five* years there sold 131,100 acres. In the next five years, though the tract had been much more than half sold out, yet there sold 65,261 acres, being at a much greater rate, in proportion to what was then for sale, than either five of the first fifteen years. It is further to be remarked, that during that time there had been offered for sale in that State, and was in rapid sale, immensely larger other tracts, amounting in the whole to 16,348,100 acres, and there had sold in the State, from 1818 to 1846, 9,885,365 acres.

In the State of MISSISSIPPI the first tract put on sale, which is reported, was in Washington district in 1809—813,610 acres. In the first *fifteen* years there sold 238,925 acres. In the next *five* years there sold 10,894 acres. In the next *five* years 41,144 acres. And in the *five* years after it had been on sale twenty-five years, there sold 123,428 acres, being much more than in any five years before.

These examples, from so many different States, must be much more than sufficient clearly to show that the assumed ground for graduation, to wit, that the quality, value, or even saleability of land can be in any degree determined by the length of time it has been in market, is entirely without foundation, and, therefore, the project should be rejected. It seems but a slightly disguised form of that principle or spirit which has, at times, manifested itself amongst some in the new States, altogether to deprive the general government of any interest in the public lands, and appears calculated to favor those who have for many years held possession of public lands without purchase, or kept purchasers off land that adjoins, and who desire a reduction that they may purchase low, and who insist that the longer they have thus done, the lower they should now have it.

It should be remarked that, if a proposition was made to reduce the price of land only in one tract, and all the other lands were held at the ordinary price, it would, undoubtedly, attract attention to that tract, and if it was found to be of as good quality, and as well situated, it would sell before other land. This effect would be produced because *that tract only* was reduced. This was illustrated in the case of the Chickasaw land. That was a tract of valuable land sold for the Chickasaws, and was put into classes and graduated, and it mostly sold out rapidly. The public land around it had been mostly previously sold. This tract sold, at the reduction in 1836, when land sold rapidly. It was mostly taken on speculation by one or two companies, as it was good land, and was the only tract in the United States offered so low. No such effect could have been produced had all the lands been equally reduced at the time. If a single reduction was made at a time, and no notice given, or provision made, that the same land should, at a certain approaching period, be again reduced, and so from time to time, the effect might be to increase, temporary, the sales. This was illustrated in the reduction of the saline lands in Illinois by the State; but such effect cannot be produced until the land has reached the lowest known price provided for by law.



Let us now consider some, in addition to those already suggested, of the *effects and consequences* which would result. The most obvious and important would be, that no public land would sell but at the minimum price; that is, at the ultimate reduction. It must be obvious, on any reflection, that, as the government owns large and extensive tracts of unsold land, among those already sold, the necessary effect of thus reducing those public lands would be, to reduce, to the same price, all land interspersedly sold to, and held by, individuals, in the same region or district of country. It seems to the committee an act of great injustice, after selling to individuals a part of the land in a section of country, and taking therefor one dollar and twenty-five cents per acre, then to proceed to reduce down to twenty-five cents per acre large tracts in the same vicinity, of perhaps, equal fertility, because it has not all sold rapidly; when that rapidity of sale has been, in fact, prevented by the government surveying, and annually offering five times as much new land as all sales required. The purchasers at the highest price would immediately demand of the government to return them the amount which it took from them beyond what it was ascertained the land should be sold for, and which it finally sold for, under the graduation law.

Much land is now purchased by such settlers as have the means, beyond their immediate wants, with the view that it will rise in value when they have made the first settlements, and opened up the country, and that the subsequent immigrants will be willing to pay them some advance thereon, rather than go into an entire wilderness. It must be obvious that all such sales must, under the graduation system, entirely cease. If all the public land around them is regularly *reduced* in price, as time and settlements advance, no man can buy land beyond his own immediate wants, with any expectation that it can *rise* in value, and all who have done so must be disappointed.

Much land is now sold to men who go into the western country and buy to provide homes for their children when they shall arrive at manhood. This must cease, if the public land is, by graduation, all put under a scale of depreciation; and the longer the purchaser waits, the cheaper he can have it.

But the reduction of the price of public land is not only unjust to all those who have already purchased, by reducing the price of the land through the vicinity, but it must be of much more extensive effect; more especially on the value of land and its productions through the whole valley of the Ohio and Mississippi. Land constitutes so large a part of the property of the people of that country, that an extensive reduction of price by that great proprietor, the government, must be extensively felt by individual land owners even in western Virginia, Ohio, and western New York.

It is thought, in some particular States, where a large part of the public land has already been sold, and where little or no fresh land remains to be surveyed and opened for sale, that if the land could be reduced in price it would enhance the sales and settlements there. Now, it is to be remembered that those were the very States

who pushed on the extensive surveys, and hastened such large quantities into the market annually; and they should not complain that all does not *immediately sell*. It is of no importance to the general government in what State or what district the land first sells. No more will sell than purchasers and settlers want, and that they will buy. What fail to buy in one State, buy in another; and, as the settlers are of a *limited* number, they cannot be had in *unlimited* numbers by any State. It might be true that, if the land was reduced in one State only, it might induce the settlers first to go there; but if this graduation project were entertained, and all the lands of equal age in market reduced at the same time, and at the same rate, it would give to no State any advantage, but would leave the probability of obtaining a greater share of the new settlers precisely where it now is.

Another effect which would result from graduation would be this: Either this government must abandon all expectation of deriving any revenue from the public land, or their whole course of proceeding must be changed in relation to it. If the land is all to be reduced in price which does not sell immediately, then no more must be surveyed and offered until all now in market is sold out; and then no more put in annually than will annually sell. This effect must be most disastrous on those new States where the process of bringing new and fresh land into market is now proceeding.

Another effect of graduation and reduction must be this: As the actual selling price of all the public land (as already shown) will be the minimum of twenty-five cents, it follows that all those new States which hold land granted them, or to be granted them, for the purposes of the cause of education or internal improvements, and with which their public interests and credit are to be sustained, must submit to the same ruinous reduction on their lands, and thus lose all the real advantage therefrom.

Another consequence follows: The soldiers of the Mexican war are entitled to land warrants for one hundred and sixty acres of land each, or scrip for one hundred dollars of public debt. Now, if the public lands are graduated and reduced, so that one hundred and sixty acres can be purchased for half the sum it now can, most certainly those soldiers will take no more warrants for land, but each will take his scrip for one hundred dollars of public debt on interest; and thus our public debt will be enhanced several million dollars.

The committee therefore report that all the memorials, petitions, and bills, to them referred, in relation to the graduation or reduction of the price of the public lands, be laid on the table.